

1491
BILL NO. G-91- 12-25

1 GENERAL ORDINANCE NO. G- Withdrawn

2 AN ORDINANCE vacating a dedicated utility
3 easement located in the City of Fort Wayne, IN.

4 WHEREAS, a petition to vacate a utility easement within
5 the City of Fort Wayne (as more specifically described
6 below) was duly filed with the City Planning Commission; and

7 WHEREAS, said Commission duly held a public hearing
8 thereon; and

9 WHEREAS, said Commission has duly forwarded its
10 recommendation to this body approving said petition, all in
11 accordance with I.C. 36-7-4-512(2) and this body having held
12 a public hearing on said vacation as provided in I.C. 36-7-
13 4-12; and

14 WHEREAS, this body concurs in the recommendation of the
15 City Planning Commission.

16 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
17 THE CITY OF FORT WAYNE, INDIANA:

18 SECTION 1. That the petition filed herein to vacate a
19 dedicated easement within the City of Fort Wayne, more
20 specifically described as follows, to-wit:

21 Interstate Industrial Park Section "H" as recorded
22 in Plat Book 30, Page 1 within the Recorders
23 Office of Allen County

24 and which vacating amends the Thoroughfare Plan of the City
25 Comprehensive ("Master") Plan and is hereby approved in all
respects.

26 SECTION 2. That this Ordinance shall be in full force
27 and effect from and after its passage, any and all necessary
28 approval by the Mayor.

J. D. Henry
29 COUNCILMEMBER

4/91
1 APPROVED AS TO FORM AND LEGALITY:

2 J. Timothy McCaulay
3 J. TIMOTHY McCAULAY, CITY ATTORNEY

4 ** Public hearing to be held on _____,
5 the _____ day of _____, 1991,
6 in the Council Chambers.

7
8 Sandra E. Kennedy, City Clerk

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13 FOUR STAR BOND
14 SOUTHWORLD USA
15 25% COTTON FIBER
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Read the first time in full and on motion by Kennedy
seconded by Quinn, and duly adopted, read the second time by
title and referred to the Committee on Zoning (and the
City Plan Commission for recommendation) and Public Hearing to be held af
due legal notice, at the Common Council Conference Room 128, City-County
Building, Fort Wayne, Indiana, on December 10, 1981, the 10 o'clock A.M., E.S.T.
of 1981, at 10:00 A.M.

DATED: 12-10-81

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____
seconded by _____, and duly adopted, placed on its passage
PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>				
<u>BRADBURY</u>				
<u>BURNS</u>				
<u>EDMONDS</u>				
<u>GiaQUINTA</u>				
<u>HENRY</u>				
<u>LONG</u>				
<u>REDD</u>				
<u>SCHMIDT</u>				
<u>TALARICO</u>				

DATED: 12-10-81

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. 1981-10
on the 10 day of December, 1981

ATTEST:

(SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 10 day of December, 1981,
at the hour of 10:00 A.M.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10 day of December, 1981,
at the hour of 10:00 A.M.

PAUL HELMKE, MAYOR

RECEIPT

No 10872

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IND.,

11-19 91

RECEIVED FROM

Malinowal Elec

\$

100.00

THE SUM OF

One hundred

DOLLARS

ON ACCOUNT OF

Utility Basement

Patt

417581

PAID BY: CASH CHECK M.O.

AUTHORIZED SIGNATURE

Date Filed: _____

Vacation Petition

I/We MAGNAVOX ELECTRONIC SYSTEMS COMPANY
(Applicant's Name or Names)

PETITION TO VACATE 14 Ft. Easement "Utility"
(Street, Alley, Utility Easement, Plat,
Other)

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following 14 Ft. Utility easement with the City of Fort Wayne, Indiana, and hereby described as follows:

The north fourteen (14) feet of Block # 33 Interstate Industrial Park Section "H" as recorded in Plat Book 30, Page 1 within the Recorders office of Allen County, Indiana.

(Legal Description of property being vacated) If additional space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as follows:

(List reasons for requesting vacation.)

As owners of adjacent land on all sides we want to expand our building.

(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance, in order to complete the vacation as described.

WHEREFORE, your petitioner(s) pray that the above described 14 Ft. Utility Easement be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 13 DAY OF November 1991

Magnavox Electronic Systems Company

Adjacent Property Owner
Typed Name
Fort Wayne, Indiana
1313 Production Road 46818
Address Zip

Thomas J. Briggs
Signature
Assistant Secretary

Adjacent Property Owner
Typed Name
Address Zip

Signature

Legal Description of Property:

Additional Reasons for Vacation Request:

Owners of Adjacent Property:

Adjacent Owners TYPED Name	Property Address/Zip	Signature
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NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

This form is to be filed in duplicate.

AGENT:

Name MIGUEL A. TRAVINO P.E.
MAGNAVOX
Street Address 1313 PRODUCTION Rd.

City/State/Zip Ft Wayne / Indiana / 46808
Phone 219 - 429 - 4371

BILL NO. G-91-12-25

REPORT OF THE COMMITTEE ON REGULATIONS

THOMAS C. HENRY, CHAIRMAN
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, BRADBURY

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) vacating a dedicated
utility easement located in the City of Fort Wayne, IN

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

R. Schmidt
J. H. Miller
W.

R. Schmidt
J. H. Miller

R. Schmidt
J. H. Miller

R. Schmidt
J. H. Miller

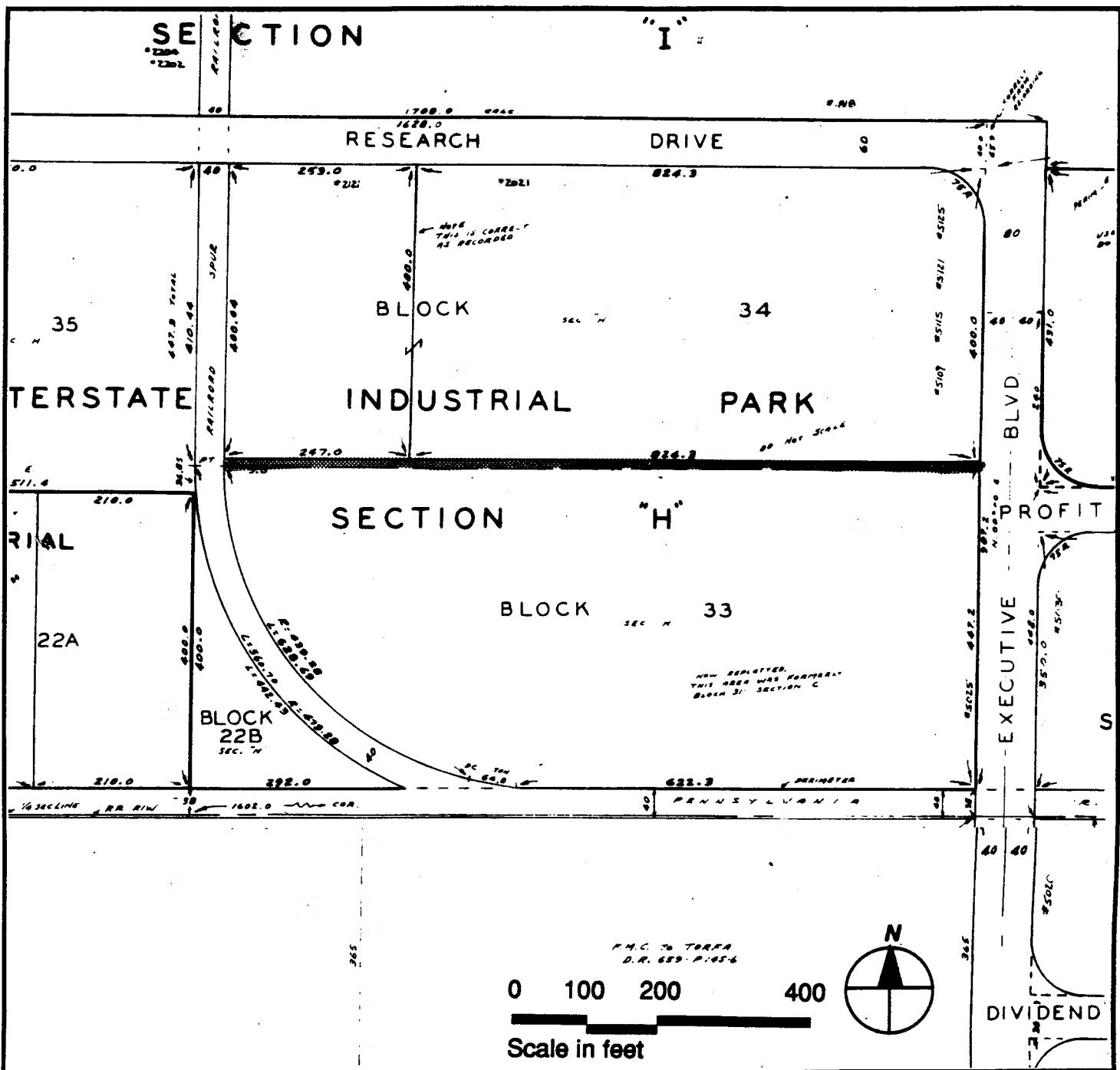
DATED:

Sandra E. Kennedy
City Clerk

VACATION PETITION

AREA MAP

CASE NO. #491



COUNCILMANIC DISTRICT NO. 3

Map No. J-34
LW 10-18-91

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	MHP	Mobile Home Park
PUD	Planned Unit Dev.	POD	Professional Office District		

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Utility Easement Vacation		

DETAILS		POSITIONS	RECOMMENDATIONS
Specific Location and/or Address Utility Easement in Interstate Industrial Park (West of Executive Blvd., and South of Research Drive)		Sponsor	City Plan Commission
Reason for Project Potential growth and expansion, and to clear up an encroachment.		Area Affected	City Wide Other Areas
Discussion (Including relationship to other Council actions) <u>16 December 1991 - Public Hearing</u> Mike Trevino, Civil Engineer with Magnavox Electronic Systems Company stated that they were requesting that the petition be WITHDRAWN due to an error in the petition. He stated that they would be resubmitting the petition at a later date. Motion was made and seconded to WITHDRAW the petition as requested. Of the five (5) members present, five (5) voted in favor of the motion. Motion carried.		Applicants/ Proponents	Applicant(s) Magnavox Electronic Systems (City Department Other
		Opponents	Groups or Individuals Basis of Opposition
		Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
		Board or Commission Recommendation	By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions WITHDRAWN BY PETITIONER)
CITY COUNCIL ACTIONS (For Council use only)		<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass	

DETAILS**POLICY/PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start**Date** 14 November 1991**Projected Completion or Occupancy****Date** 17 December 1991**Fact Sheet Prepared by**

Patricia Biancaniello

Reviewed by**Date** 17 December 1991**Date** 17 DECEMBER 1991**Reference or Case Number**

~~H~~ **ORIGINAL**

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE

Utility Easement Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE

Land Use Management - C&ED

SYNOPSIS OF ORDINANCE

The North 14 feet of Block #33 in Interstate Industria/

Park Section "H" as recorded in Plat Book 30, Page 1 with the
Recorder's Office of Allen County, Indiana.

11-91-12-25

EFFECT OF PASSAGE

Property is currently a dedicated utility easement. Property
will be vacated and revert to the ownership of the adjacent property
owners.

EFFECT OF NON-PASSAGE

Property will remain a dedicated utility easement.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.)